



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

**AGENDA**

**Meeting of February 14, 2001**  
10:00 A.M., First Floor Hearing Room  
242 State Street, Augusta, Maine

ROUTINE BUSINESS

1. Ratification of Minutes of the January 10, 2001 meeting.

OLD BUSINESS

2. A. Ms. Sandra S. Choate Complaint Against House Democratic Campaign Committee

(Tabled from previous meeting):

**Allegations:** By letter dated November 1, 2000, Ms. Choate filed a complaint against the House Democratic Campaign Committee questioning the nature of the expenditure by the Committee in support of Representative Elizabeth Watson and whether that expenditure constituted an in-kind contribution to Representative Watson's campaign or should have been reported as an independent expenditure that may have triggered matching funds for her opponent.

**Recommendation:** Complaint dated 11/1/00 received 11/2/00. Independent Expenditure report received 11/2/00, based upon expenditure reported made on 11/2/00. Counsel for HDCC concedes that report of all expenditures was filed 2 days late. Reduce matrix penalty of \$67.59 for late reporting of expenditures totaling \$3,379.50 to assessed penalty of \$33.80.

- B. Maine Democratic Party Request for Investigation and Complaint Against Maine Unlimited PAC and Senator Richard A. Bennett (Tabled from previous meeting):

**Allegations:** Numerous reporting violations and violations of the Maine Clean Election Act

**Recommendation:** No further action based upon previous determination of "express" versus "issue" advocacy as applied to the political communication at issue (Edmonds complaint against Maine Unlimited PAC) and the supplemental information presented by respondents.

NEW BUSINESS

3. Late Candidate Campaign Finance Report Penalty Determinations:

- A. Michael A. Vaughan  
6-Day Pre-General Campaign Finance Report  
Due 11/1/00; Filed 11/17/00 - 16 days late  
One (1) Previous Violation  
Penalty: \$1,250.40



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**Recommendation:** Assess penalty of \$1,250.40 (see mitigating circumstances enumerated in letter dated February 5, 2001).

- B. Honorable Jane W. Saxl  
48-Hour Report of Expenditures  
Due 11/3/00; Filed 11/7/00 - 2 days late (by telefax 11/5/00)  
First Violation  
Penalty: \$51.32  
**Recommendation:** Assess penalty of \$25.66 (Note: 21A MRSA §1017(5) provides that "the candidate and the treasurer are jointly responsible for the timely and accurate filing of each required report.")
- C. Senator Neria R. Douglass  
42-Day Post-General Election Campaign Finance Report  
Due 12/19/00; Filed 12/20/00 - 1 day late  
First Violation  
Penalty: \$42.56  
**Recommendation:** Assess penalty of \$21.28
- D. Mark Cenci  
42-Day Post-General Election Campaign Finance Report  
Due 12/19/00; Filed 12/21/00 - 2 days late  
Fourth Violation  
Penalty: \$162.20  
**Recommendation:** Assess penalty of \$162.20
- E. Senator Betheda Edmonds  
42-Day Post-General Election Campaign Finance Report  
Due 12/19/00; Filed 1/3/01 (by telefax) - 15 days late  
First Violation  
Penalty: \$681.90  
**Recommendation:** Assess penalty of \$340.95
4. Late Lobbyist Disclosure Penalty Determinations:
- A. Russell Libby, Lobbyist for Maine Organic Farmers and Gardeners Association  
November Monthly Report  
Due 12/15/00; Filed 12/19/00  
One previous late filing this biennium (Paid without request for waiver)  
Penalty: \$100.00  
**Recommendation:** Assess penalty of \$100.00
- B. Michele A. MacLean, Lobbyist for Champion International Corp., Glaxo Wellcome, Maine Coalition of Home Inspectors, New England Cable Television association, Pfizer, Inc. (5 employers)

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November Monthly Report  
Due 12/15/00; Filed 12/18/00  
First Violation This Biennium  
Penalty: \$500.00 (\$100.00 @ employer)  
**Recommendation:** Assess penalty of \$250.00

C. Douglas P. Denico, Lobbyist for Plum Creek Timber Co.  
December Monthly Report  
Due 1/16/01; Filed 1/29/01 (by telefax)  
First Violation This Biennium  
Penalty: \$100.00  
**Recommendation:** Assess penalty of \$50.00

D. Susan Dore, Lobbyist for Maine Credit Union League  
December Monthly Report  
Due 1/16/01; Filed 2/5/01  
First Violation This Biennium  
Penalty: \$100.00  
**Recommendation:** Assess penalty of \$50.00

E. Everard B. Stevens, Lobbyist for Commercial Union York Insurance Co.  
Annual Lobbyist Disclosure Report  
Due 1/2/01; Filed 1/16/01  
First Violation This Biennium  
Penalty: \$200.00  
**Recommendation:** Assess penalty of \$100.00

5. Comments on Legislation: The following bills have been introduced upon which the Legal and Veterans' Affairs Committee may request the Commission to comment. Commission guidance in anticipation of that possibility will be helpful.

- A. LD 214 – An Act to Amend the Laws Governing Campaign Contributions
- B. LD 285 – An Act to Reform Lobbyist Disclosure Requirements
- C. LD 299 – An Act to Implement the Recommendations of the Blue Ribbon Commission to Establish a Comprehensive Internet Policy
- D. LD 388 – An Act to Amend Disclosure Reporting Requirements
- E. LD 454 – An Act to Clean Up Maine's Clean Election Act
- F. LD 501 – An Act to Reform Certain Features of the Clean Election Law
- G. LD 624 – An Act to Amend the Clean Election Law

6. Commission to Committee Correspondence: Letter dated January 16, 2001, from Chair Webster and January 26, 2001, from Mr. Hain to the Committee on Legal and Veterans' Affairs in response to the joint meeting between the Commission and the Committee on January 10, 2001 (information only).

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7. Lincoln County Democratic Committee: Letter dated January 23, 2001, from the Lincoln County Democratic Committee and response thereto dated January 26, 2001, addressing the issue of the automation of the Commission's processes.
8. Maine Clean Election Act: Discussion of Maine Clean Election Fund distributions for gubernatorial candidates in year 2002 elections.
9. Request for Commission Guidance: In response to the January meeting determination regarding the liquidation of surplus equipment by MCEA candidates, Senator Anne M. Rand reported having sold a computer and printer with maintenance insurance purchased on August 22, 2000, for \$1,632.68 to the Dirigo 2000 Political Action Committee (of which she is listed as principal officer) on January 17, 2001, for \$600.00, a 63% depreciation in fewer than five (5) months. Is the Commission satisfied that the sale price represents the "fair market value" of the equipment as required?
10. Other: Selection of Dorothy J. Perry as Lobbyist Registrar Reporting Officer.
11. Executive Session: As required.

**ADJOURNMENT**